

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:05-cr-0069-JPH-MJD
	)	
GEORGE MUSIC,	)	
	)	- 01
Defendant.	)	

**REPORT AND RECOMMENDATION**

On November 22, 2019, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on October 30, 2019. Defendant Music appeared in person with his appointed counsel Dominic Martin. The government appeared by Kendra Klump, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Ross Carothers.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Music of his rights and provided him with a copy of the petition. Defendant Music orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Music admitted violation number 2. [Docket No. 13.] Government moved to dismiss violation numbers 1, and 3 and the same granted.
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation  
Number**

**Nature of Noncompliance**

2

**“The defendant shall refrain from any unlawful use of a controlled substance.”**

The offender tested positive for amphetamines on May 10, 2019. On May 29, 2019, the offender signed an "Admission Report" wherein he admitted illegal use of methamphetamine on May 9, 2019.

The offender tested positive for amphetamines on July 14, 2019. He admitted using methamphetamine the previous day.

The offender tested positive for amphetamines on July 28, 2019. He admitted using methamphetamine the previous day.

The offender tested positive for amphetamines on August 13, 2019. He admitted using methamphetamine the previous day.

The offender tested positive for amphetamines on September 29, 2019. He admitted using methamphetamine the previous day.

4. The parties stipulated that:

- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant’s criminal history category is IV.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 12 to 18 months’ imprisonment.

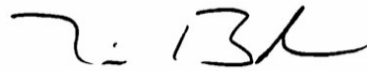
5. The parties jointly recommended as sentence of twelve (12) months and one (1) day with no supervised release to follow. Defendant requested placement at FCI Milan.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of twelve (12) months and one (1) day with no

supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Milan.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Dated: 11/22/2019

A handwritten signature in black ink, appearing to read 'T. Baker', written over a horizontal line.

Tim A. Baker  
United States Magistrate Judge  
Southern District of Indiana

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